

Regular meeting of the City Council

Austin Tex March 15<sup>th</sup> 1886.

Hon J W Robertson, mayor, presiding.

Roll Call - Present Aldermen Picard, Anderson,

Rollell, Campbell, Schuber, Giesen, Warren, Wartham,

Cooker, Odell, DeGress, Ervin, Walker and Jones - 13.

Absent : Aldermen Schneider, Metz, Brush,

Caldwell, Corwin, Helman, Cummings, - 7

Alderman DeGress moved that a Call of the Council be made. The motion was adopted and the marshal sent after the absentees.

Aldermen Brush, Caldwell and Cummings  
Came in.

Suspended Call.  
A motion to suspend a Call of the Council was made and adopted.

Alderman Corwin, Helman and Schneider Came in.  
The minutes of the last meeting of the Council were read and adopted.

The named petitions were introduced read and referred to Committee on Streets, Alleys, etc:

Petition by Waller Creek  
A petition from Citizens of East Austin requesting that a bridge be built across Waller Creek where Mulberry street crosses the same.

open alley  
A petition from Citizens Owning and Controlling property in block No. 49; asking that an alley be opened through said block.

L. W. Simpson  
tax.  
A petition from L. W. Simpson asking that he be relieved from paying taxes on the improvements on lot 5 Block 3 Div O of Sub-division block 7 because they were not made until after March 1885. The petition was referred to the Committee on finance and revenue.

H. B. Hancock  
release.  
A petition from H. B. Hancock requesting the Council to release him from all liability for the fines imposed in the County Court against Frankie Armstrong and Josie Stiner, because when he became surety on the appeal bonds he was informed by the attorney who represented them that in becoming a surety on said bonds he assumed no responsibility except for the appearance of the parties. He further represents that he

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paid all costs in the Courts amounting to \$34.00  
 A request from the City attorney that the release  
 be granted accompanied the petition, and on the  
 recommendation of his honor, the Council granted  
 the release.

Petition to bridge Waller Creek  
 A petition from property holders on East Dean Street requesting that the contract for the stone bridge over Waller Creek be changed to read eighty feet wide, instead of sixty feet as at present, because the street is a great thoroughfare, and would not be safe for pedestrians with a bridge only 60 feet wide, and further because much cotton, hay and produce brought to Austin passes over said bridge, and also because the taxable value of abutting property would be increased.

Referred.  
 On motion the petition was referred to a Special Committee of three aldermen.

The following named aldermen constitute the Committee: Ervin, Corwin and Warren.

against extension Cemetery A petition from citizens of Austin, asking that the extension of the Cemetery east sixty feet be postponed until the matter is thoroughly examined, was referred to the Committee on Cemetery.

Clerk's report A statement of warrants issued during the month of Feby 1886, by the City Clerk, was presented, but not read.

City attorney R.R. tracks etc. An opinion from the City attorney was read stating that if an ordinance requiring railroads within the City of Austin to keep their tracks in good order and fixing a penalty therefor, was passed it could not be enforced.

against leaving block 59. Alderman Schubel and Helman, of the street committee, submitted a majority report on the petitions of W. A. Tobin and English & Co., asking the privilege of renting a portion of block No. 59. The report states that the block named was set aside for a public square, and should not be used otherwise, and asks that the petitions be not granted.

Alderman Crooker, of the same committee

Favor of

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Leasing block presented a minority report stating he has  
considered the petitions and can see no reason  
why the City should not grant the same as the  
parties are willing to pay a good rent for the  
same.

Minority report A motion was made and adopted by a rising vote  
of 13 to 4 - substituting the minority report for the  
majority report.

Alderman Crooker moved the adoption of the  
minority report. Carried.

Stands for wagons The Committee on streets, alleys etc., to whom  
was referred an ordinance entitled "An ordinance  
providing that all express wagons or delivery wagons,  
placed heretofore on the public streets for hire,  
shall hereafter take stands on block No. 59, and  
the public squares of this city, reported recommending  
that the same do not pass because the stands  
designated are too far away from business.  
The report was adopted.

Ord. bridge The same Committee to whom was referred  
College ave. an ordinance entitled "An ordinance for building  
an arched bridge on College Avenue and  
Kuees street", reported recommending that the same  
do pass. The report was read

Block 59 The same Committee to whom was referred  
a petition of citizens of Austin requesting  
that the fence on block No. 59 lot No. 1 be set  
back so as not to encroach upon the sidewalk,  
reported as follows: "Your Committee would  
respectfully recommend petition be granted  
and city engineer be authorized to have  
obstruction removed". The report was adopted.

Bill posters The same Committee reported favorably on  
the following named Ordinances: An ordinance  
regulating bill posters in the City of Austin.

Stallions etc. An ordinance prohibiting the hitching of  
any stallion, jackass or bull in any street  
or alley, or keeping the same for service in  
certain places in the City of Austin.

Riding driving An ordinance regulating riding and driving in  
the streets of Austin.

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Animals in droves An ordinance prohibiting the driving of animals in droves through the streets in the City of Austin. The Committee on fire department reported favorably on the following named ordinances:

Wooden buildings An ordinance regulating the building repairing and removal of wooden buildings in the city of Austin.

Hay. An ordinance regulating the storage of hay etc., within the fire limits of the City of Austin. The Committee on Ordinances reported favorably on the following named ordinances:

Jury fees. An ordinance providing for the payment of jury fees in the recorder's Court of the City of Austin.

Contracts. An Ordinance relating to illegal Contracts effecting the City of Austin.

amendart 534. An Ordinance amending article 534 of the revised Ordinances of the City of Austin.

Taxes. An ordinance relating to the Collection of occupation taxes in the City of Austin.

\$6000 to purchase sewer. The Committee on Sanitation and sewers to whom was referred an ordinance entitled "An ordinance appropriating the sum of \$6.000 for the purpose of purchasing the sewer now owned by G. A. Brush" reported, recommending the purchase of the sewer at a cost of \$5000.

The report recommends a division of the amount of money to be paid to Mr Brush for his sewer into two payments, one part to be paid out of the taxes of 1885 and the other part from those of 1886, the reason stated for the division of payment is that to ask so much at once might preclude any immediate relief to the West side of Congress Avenue. The report also recommends the appropriating of \$3000, for the purpose of laying a sewer suitably located to intersect the Brush Sewer before it enters the Colorado river.

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The report was read.

Alderman Anderson and Campbell from the Committee on water and gas, to whom was referred a bill of the City water Company for \$2,463.33 for water used by the City for public purposes, reports as follows:

Your Committee recommend that the sum of \$1,847.50 be allowed the City water Company on the within account.

Minority report. Alderman Cummings, from the same Committee presented a minority report dissenting from the majority report, for the following reasons:

First - Their report allows the City water Company nothing for the water used by the City Public Schools for school purposes and does not fully offset the taxes assessed against said water Company, as was granted to them in the original Contract.

It is the opinion of the minority of your Committee that such treatment of said Contract and said Company is not the proper policy to adopt to insure the best interests of the City in inducing said City Water Co., to fully carry out their part of the Contract with the City.

Chas A. Shurr. The special Committee consisting of Aldermen DeGress, Anderson and Schneider appointed to investigate the unpaid account of Chas A. Shurr, Contractor for the building of Colorado fire engine and Hook and Ladder Company No. 1 on Market Street still reported. That a number of witnesses were examined by them, and from the statements made would recommend that in view of the fact that the City of Austin has received the full value for the \$6000 appropriated for this building that the account of \$1000 of Chas A. Shurr be paid.

On motion the report was adopted.

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An ordinance which was introduced by R.R. tracks Alderman Walker, entitled "An ordinance requiring railroads within the City of Austin to keep their tracks in good order, and fixing a penalty for a violation thereof." Came up on its second reading, and amendment. read. Alderman Walker then offered an amendment in lieu of Sec. 2 as follows:

That if such railway Company after receiving notice to repair its road or road bed and crossings upon the streets of the City shall fail or refuse to comply with such notice and shall fail or refuse to make such repairs then such work shall be done at the expense of the City by the City engineer and the cost and expenses thereof shall be a charge upon the property of such Company and shall be collected by the City attorney by suit in some court of competent jurisdiction.

To table.

Alderman DesGress moved to table the amendment. Defeated by a rising vote 7 to 10. Alderman DesGress then moved to table the ordinance and amendment.

The move was rejected by a rising vote of 5 to 13.

A motion to adopt the amendment was made and carried, and a motion was made to suspend the rules and place the ordinance on its third reading which was defeated by the following vote:

Yea: Aldermen Schneider, Pillow, Anderson, Brush, Caldwell, Wortham, Crooker, Odell, Corwin, Cummings, Ervin, Walker and Jones - 13

Nay: Aldermen Campbell, Schubert, Giesen, Warren, Holman and DesGress - 6.

Purchase Sewer An ordinance which was introduced by Alderman Cummings, entitled "An ordinance appropriating the sum of \$6000 for the purpose of purchasing the sewer now owned by

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G. A. Brush." Came up on its second reading. Alderman Schuber moved to table the ordinance. The motion was defeated.

~~Leave Brush~~ Alderman Cummings then offered an ~~Sewer~~ Ordinance entitled "An ordinance for the lease by the city of Austin, from Geo A. Brush, of the underground Sewer in the city, and the rights, privileges and franchises thereof, and to appropriate the sum of three thousand dollars therefor", as a substitute for the one originally offered.

Postponed. Alderman Crooker moved to postpone both the original ordinance and the substitute, subject to future call. Carried by a rising vote of 10 to 7.

~~Water C.  
lic. tax.~~ Alderman Anderson moved that the majority report of the Committee on water and gas, in relation to the City Water Company tax matter be referred to the Finance Committee and that they include the same in their next appropriation ordinance. No objection was made.

~~Union dep.~~ Alderman Campbell called up an ordinance which was introduced by Alderman DeGress, entitled "An ordinance authorizing the appointment of a Committee of four members of the City Council to confer with the managers of the D. & G. St. R.R. and the Houston & Texas Central R.R. regarding their building a union depot in this city".

A motion to table the ordinance was adopted.

An ordinance which was introduced by Alderman Oldwell, entitled "An ordinance for building an arched bridge over on College avenue and Kuees street," came up on its second reading and was read.

Alderman Odell introduced the following named ordinance: "An ordinance appropriating the sum of \$2,775.00 to pay the regular employees

To pay men  
roll

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Passed:

of the City of Austin for the month of March 1886." The ordinance was read and motions made to suspend the rules and place the ordinance on its second and third readings, and that the ordinance now pass, all of which were adopted by the following vote: Aldermen Schneider, Pillow, Anderson, Brush, Campbell, Schuber, Caldwell, Giesen, Warren, Wortham, Crooker, Odell, Corwin, Holman, Gedress, Cummings, Ervin, Walker and Jones - 19.

Hose Cart  
#4 building

An Ordinance entitled "An ordinance appropriating \$1000. to build a house for Hose Cart Company No. 4, of the City of Austin," which was introduced by alderman Gedress, came up on its second reading and was read.

Alderman Giesen moved to amend section 1, by striking out \$1000 and inserting \$1250.

The amendment was adopted and the option changed to read \$1250.00. Motions were then made to suspend the rules and place the ordinance on its third reading, and that the ordinance now pass, both of which were adopted by the following vote,

Yea: Aldermen Schneider, Pillow, Anderson, Brush, Campbell, Schuber, Caldwell, Giesen, Warren, Wortham, Crooker, Odell, Corwin, Holman, Gedress, Cummings, Ervin, Walker and Jones - 19

The following named ordinances were read "An ordinance ordering the City Water Company to extend water mains and locate hydrants thereon".

Extend mains.

Hydrants &  
lamps

Alderman Walker introduced the following resolution: Be it resolved, by the City Council of the City of Austin, that the Aldermen from each Ward shall be empowered to locate fire hydrants and lamps in their respective Wards, according to the number allowed to their wards, and that said Aldermen shall be empowered to change the location of such hydrants

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and lamps as fixed by any ordinance.

The resolution was read and laid over.

Extend mains. A motion was made to suspend the rules and place the ordinance ordering the City Water Company to extend water mains and locate hydrants thereon; on its second reading. The motion was adopted by the following Vote: Yeas Aldermen Schneider, Pillow, Anderson, Brush, Campbell, Schuler, Caldwell, Giesen, Warren, Wortham, Crooker, Odell, Corwin, Holman, DeGress, Cummings, Ervin, Walker and Jones - 19

amendments Alderman Anderson moved to amend Section 1, by striking out "3,168" and inserting "3696" and also by striking out "6" and inserting "7" hydrants. Adopted.

Alderman Campbell moved to amend Sec. 2 by striking out "2112" and inserting "2500 feet"; and also by striking out "4" and inserting "5" hydrants.

Tabled amend: Alderman DeGress moved to table the amendment. Adopted by a rising vote of 9 to 10.

Amendment. Alderman Walker offered the following Amendment to Section 8, which were adopted: after "On Red River street" strike out "from live Oak street" and insert "528 feet"; after East on' strike out "Water" and insert "Davis", also after "Davis street" insert "528" feet, and also, after "in all" strike out "528" and insert "1,056".

Motions were made to suspend the rules and place the ordinance on its third reading, and that the Ordinance now pass, both of which were adopted by the following

Passed. Vote : Yeas Aldermen Schneider, Pillow, Anderson, Brush, Campbell, Schuler, Caldwell, Giesen, Warren, Wortham, Crooker, Odell, Corwin, Holman, DeGress, Cummings, Ervin, Walker and Jones 19.

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Alderman Wortham introduced the following named  
 See also Ordinance: "An Ordinance granting Dr W.  
 H. Tobin 150 x 180 feet of ground off the north-east  
 corner of public square between Pine and Cedar,  
 and Nesches and Trinity Streets; the ordinance was  
 read and a motion made to place the ordinance  
 On its second reading which was defeated by  
 the following vote: Yeas Aldermen Pellow,  
 Anderson, Campbell, Giesen, Wortham,  
 Crooker, Odell, Corwin, DeGress and Cummings - 10  
 Nays: Aldermen Schneider, Brush, Schuber,  
 Caldwell, Warren, Holman, Ervin, Traesker and  
 Jones - 9

Hospital  
Comtee.

Alderman DeGress introduced a resolution  
 which was adopted, directing the hospital  
 Committee to ascertain the total amount of  
 expenses of the hospital for the year 1885,  
 and also the amount of ad Valorem and  
 license tax paid by the inhabitants of the  
 City, with a view of ascertaining, whether  
 the Contract between the County and City,  
 as at present existing, is equitable and  
 just, and if not equitable and just, that the  
 Committee make such recommendation, to  
 take effect at the expiration of the  
 present Contract as will make it so.

Alderman Anderson was excused.

Alderman Wortham introduced the following  
 named Ordinance: An Ordinance appropriating  
 the sum of five hundred dollars to pay  
 Counsel for defending John Bracken  
 and Claude Hankins on a charge of  
 murder.

The ordinance was read and a motion  
 made suspending the rules and placing  
 the ordinance on its second reading which  
 was adopted by the following vote: Yeas

Aldermen Schneider, Pellow, Brush, Campbell,  
 Schuber, Caldwell, Giesen, Warren, Wortham,  
 Crooker, Odell, Corwin, Holman, DeGress,  
 Cummings, Ervin, Traesker and Jones - 18

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Motions were made to further suspend the rules and place the Ordinance on its third reading and that the Ordinance now pass, both of which were adopted by the following Vote.  
 Yeas Aldermen Schneider, Pillow, Brush, Campbell, Schubel, Caldwell, Giesen, Warren, Overtham, Crooker, Odell, Holman, DeGress, Cummings, Corwin, Walker and Jones - 17.

Nay, Alderman Corwin.

Alderman Crooker moved that a Special Committee of three be appointed to canvas the returns and announce the result of the election held for the purpose of electing One Chief, One assistant Chief, and One recorder for Austin fire department.

The motion prevailed and Aldermen Brush, Schneider, and DeGress were appointed as such Committee.

The returns were canvassed and Alderman DeGress, for the Committee, rose and announced the result as follows:

|                                      |     |
|--------------------------------------|-----|
| For Chief - Monroe Miller            | 120 |
| Scattering                           | 6   |
| For assistant Chief Wm Van Rosenberg | 127 |
| For Recorder - John A. Miller        | 74  |
| A. Giesen                            | 53  |

His Honor, then declared Monroe Miller duly elected Chief of the Austin fire department for the next ensuing year.

Wm Van Rosenberg duly elected Assistant Chief of Austin fire department for the next ensuing year.

John A. Miller duly elected Recorder of the Austin Fire Department for the next ensuing year.

Alderman Giesen introduced the following named Ordinance:

An ordinance regulating  
the printing of the minutes of the City Council.

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The Ordinance was read and a motion made to Suspend the rules and place the ordinance on its second reading, which was adopted by the following vote: Yes Alderman Schneider, Brush, Campbell, Schuber, Caldwell, Giesen, Warren, Wortham, Crooker, Odell, Corwin, Holman, DeGress, Cummings, Ervin, Walker and Jones - 17

Nays: Alderman Pillow.

Alderman DeGress offered the following amendment to section first:

And that the mayor be directed to advertise the same and invite bids.

Alderman Cummings offered the following amendment to the amendment offered by Alderman DeGress:

Either in newspapers or in pamphlet form. Defeated by a rising vote of 7 to 11.

On motion the amendment offered by alderman DeGress was adopted. A motion to further Suspend the rules and place the ordinance on its third reading was adopted by the following vote. Yes Aldermen Schneider, Campbell, Schuber, Caldwell, Giesen, Warren, Wortham, Crooker, Odell, Corwin, Holmans DeGress, Ervin, Walker and Jones - 15.

Nays: Aldermen Pillow, Brush and Cummings - 3.

A motion was made that the ordinance now pass. Adopted.

Alderman Corwin offered the following named ordinance: An ordinance to authorize the purchase of certain land for the City Cemetery, and making an appropriation therefor. Motions were made to suspend the rules and place the ordinance on its second and third readings, and that the ordinance do now pass, all of which were adopted by the following vote: Yes Aldermen Schneider, Pillow, Brush, Campbell, Schuber, Caldwell, Giesen, Warren,

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Wortham, Crooker, Odell, Corwin, Holman,  
Cummings, Crivin, Waelker and Jones - 17  
Stay: Alderman DeGress.

Alderman Jones introduced the following  
named Ordinance which was referred to the  
Committee On streets, Alleys, etc:

An Ordinance appropriating \$500 for  
the purpose of building a wooden bridge over  
Traller Creek where Willow street crosses  
the same.

Alderman Schuber introduced the  
following named Ordinance:

An ordinance  
appropriating the sum of two hundred and  
fifty dollars for the purpose of placing  
railings at the approaches of bridges on  
Traller and Shoal Creeks.

Alderman Warren moved that the Street  
Committee and city engineer be instructed  
to have the work called for by the  
Ordinance performed, and the expenses thereof  
charged to the street fund of the respective  
wards in which the work is done.

Alderman DeGress moved to table the motion  
Defeated.

A motion was then made to adopt the  
motion made by Alderman Warren. Carried.  
The Council then adjourned.

Milton Morris  
City Clerk